

ADMINISTRATIVE DIRECTIVE NO. 4.62

EFFECTIVE DATE: October 12, 1983

REVISION DATES: September 1, 1993

SUBJECT: REASONABLE ACCOMMODATIONS FOR DISABLED APPLICANTS AND
EMPLOYEES - PAGE 1

I. PURPOSE:

- A. This directive is designed to outline the reasonable accommodations process of the City of San Antonio in order to comply in part with the Americans with Disabilities Act.
- B. This directive outlines the process:
 - 1. to provide reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee in order for the applicant/employee to be given an equal opportunity in the application process or to perform the essential functions of the job in question.
 - 2. to provide any and all reasonable accommodations on an individual basis in the most cost effective manner available unless the provision of such accommodations would create an undue hardship.
 - 3. for alternate assignment initiated after a determination has been made that an employee can not perform the essential functions of his/her regular position, with or without reasonable accommodations.

II. DEFINITIONS:

- A. ESSENTIAL FUNCTION - the fundamental duties of the position. A task may be essential because the position exists to perform the function; or a function may be essential based on the number of other employees available to perform that task or among whom the responsibility of doing so can be distributed; or a function may be essential if it requires a certain degree of skill or specialization.

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- B. REASONABLE ACCOMMODATION - any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal opportunities.
- C. UNDUE HARDSHIP - an action requiring significant difficulty or expense -- i.e., an action that is unduly costly, extensive, substantial or disruptive, or that will fundamentally alter the nature of the business.

III. TYPES OF ACCOMMODATIONS AND GUIDELINES:

- A. For the purpose of this directive, reasonable accommodations do not include auxiliary aids of a personal nature (hearing aids, wheel chairs, etc.). Reasonable accommodations may include, but are not limited to, the following categories. (Examples within categories are presented to illustrate the range of things to consider and the importance that the creativity and innovativeness of the department staff and the disabled applicant/employee play in the accommodations.)
 - 1. SITE ACCESS may include physical accessibility of parking lots and spaces, entrances, restrooms, work stations, cafeterias, elevators, etc. Major physical access improvements are the responsibility of the City and are being handled under a separate Long Range Access Plan for major access improvements.
 - 2. JOB RESTRUCTURING may include removal or reassignment of non-essential job tasks, flexible time to allow for transportation and/or medical schedules, task modifications, job sharing and reassignment of tasks. To allow a qualified disabled person to perform essential tasks, utilization of existing staff or volunteers on an occasional basis might be appropriate. Examples are drivers, readers, interpreters, etc.

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3. PURCHASE OR MODIFICATION OF EQUIPMENT OR DEVICES may include longer phone cords, headsets, placement of wood blocks to raise the height of a desk, desks or tables fitted with lazy susans providing easy access to work to be performed, tape recorders for persons unable to write, telephone receiver amplifiers, modified key-boards, reaching sticks that enable worker to reach work objects, adjusted lighting, regulation of temperature, or portable hand controls to be used on City or rental vehicles while on City business.
- B. To determine if an accommodation is reasonable, the following must be considered:
1. job relatedness
 2. effectiveness
 3. business necessity (worksite, number and class of employees, number of buildings, etc.)
- C. To be reasonable, an accommodation must be:
1. necessary.
 2. effective.
 3. one which does not supplant the disabled person.
 4. related to the job.
 5. one which does not create undue hardship on other employees (example: Other employees cannot be required to provide personal care for disabled employee.) or on the overall operation of the department; and does not create direct harm or threat to the individual or other employees and does not involve excessive expense to accomplish.

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IV. REASONABLE ACCOMMODATIONS TO COMPLETE APPLICATION PROCESS:

- A. The Management Services Department will communicate to applicants that reasonable accommodations may be requested during the application process.
- B. The Management Services Department will determine with input from the applicant what accommodation is necessary to complete application process (could include employment tests, completion of application forms, etc.); and the Management Services Department will determine if the accommodation would impose an undue hardship. The employing department will address any accommodations requested during the interview process, such as accessible interview site, etc.

V. REASONABLE ACCOMMODATIONS (GENERALLY):

- A. The Management Services Department will review the position description and task statements to ensure that they truly and accurately reflect the "essential functions" of the job. In order to be qualified for a job, the applicant/employee must have the skills, experience, and knowledge reflected in the standard position description requirements with or without reasonable accommodations.
- B. The employee/applicant or employee's supervisor requesting reasonable accommodations will complete request form. (Attachment A)
- C. Utilizing the "City of San Antonio Reasonable Accommodation Decisions Chart" (Attachment B), the Department Head of the employing department will determine what, if any, reasonable accommodations are reasonable and necessary for the applicant/employee to be able to perform the essential functions of the position in question.

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- D. The City Physician may be asked to determine the ability of applicant/employee to perform essential functions of the position in question. Because essential job functions vary with individual job descriptions and task statements and include those physical and cognitive activities necessary to effectively achieve anticipated job performance, the person's job function ability shall be determined on an individual basis. The City Physician may request written documentation from a professional with knowledge of the person's functional limitations.
- E. The Management Services Department, Health Department, City Attorney's Office, Disability Access Office, employing department, and the applicant or employee will work as a team to determine reasonable accommodations necessary to enable qualified disabled applicant/employee to perform the essential functions of the job in question.
- F. After determining the nature and type of accommodation needed, the Department Head of the employing department will have the authority to provide reasonable accommodations. If more than one accommodation would be effective for the individual with a disability, the Department Head of the employing department is free to choose among effective accommodations and may choose one that is less expensive or easier to provide. The Department Head of the employing department may verify the availability of funds with the Management Services Department and may ask for a review of total City resources to determine if the accommodation can be provided.

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- G. If it is determined that provision of the proposed accommodation is necessary but would create an undue hardship, as determined from review of total City resources, this is not to be construed to mean that the applicant or employee is not qualified for the job. The employing department will inform the applicant/employee of the determination and allow the individual the opportunity to provide the accommodation through his/her own resources.
- H. A copy of the "Reasonable Accommodation Request" form shall be forwarded to the Management Services Department, Recruitment and Support Division, for record keeping purposes.

VI. ALTERNATE ASSIGNMENT OF DISABLED EMPLOYEES:

- A. The alternate assignment process covers employees who become disabled and are unable to perform the essential functions of the positions (regular duty positions) which they held at the time of becoming disabled. This involves reassignment of current employees to vacant positions as a form of reasonable accommodation.
- B. The alternate assignment process is for those employees who have participated in the City's Light-Duty Program and those employees who have been determined by the City Physician to be unable to perform the essential functions of their regular duty position, with or without reasonable accommodations.
- C. Prior to initiation of the alternate assignment process, the Department Head must counsel and meet with the employee in order to determine what, if any, reasonable accommodations are reasonable and necessary for the

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employee to be able to perform the essential functions of the employee's regular duty position. The employing department will follow the process outlined in V. E., F., and G. of this directive. If the department is able to provide reasonable accommodations, then the Department Head of the employing department will complete Attachment C and return to the Management Services Department.

- D. If the department is unable to accommodate the employee, then the Department Head of the employing department will justify in writing and return Attachment C to the Management Services Department. Then the alternate assignment process will commence at the end of the employee's six-month light-duty assignment or upon determination by the City Physician that an employee is unable to perform the essential functions of his/her regular duty position, with or without reasonable accommodations.
- E. The employee who lacks his/her G. E. D. certificate will be granted six months to earn a G. E. D. certificate. The six-month period will begin at the time of placement in a light-duty position for those employees participating in the Light-Duty Program. For those employees who take a continued employment physical, the six-month period will commence after the physical examination results are received by the Management Services Department. The Management Services Department will advise each employee how to begin the G. E. D. certification process, and the employing department will pay for any necessary study materials. The employee's progress will be monitored by the Management Services Department, and the employee will be asked to provide status reports of his/her progress in

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the G. E. D. certification program. The employee who fails to earn a G. E. D. certificate after six months and cannot be placed through the alternate assignment process without possession of a G. E. D. certificate will be recommended for termination by the employing department.

F. In the event that no reasonable accommodations can be made and after the alternate assignment process is determined to be appropriate in a given case, the Management Services Department will initiate the following:

1. If the employee qualifies for a vacant position in the employing department comparable in status and pay to the regular duty position, the Management Services Department will contact the employing department to arrange for the employee's alternate assignment to the vacant position.
2. If no position is available in the employing department comparable in status and pay to the regular duty position, the Management Services Department will identify a vacant position in another department comparable in status and pay to the regular duty position and contact that department to arrange for the employee's alternate assignment to the vacant position.
3. If there are no vacant positions City-wide comparable in status and pay to the regular duty position, the Management Services Department will contact the employing department to arrange for alternate assignment into a vacant entry-level position for which the employee qualifies.

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4. If there are no vacant entry-level positions available in the employing department for which the employee qualifies, the Management Services Department will identify a vacant entry-level position in another department for which the employee qualifies. The Management Services Department will contact that department to arrange for the employee's alternate assignment to the vacant entry-level position for which the employee qualifies.
5. If there are no positions available, the employee will remain in the Light-Duty Program or off-duty for sixty days. During the sixty-day period, the employee will be placed in the first applicable position which becomes vacant for which the employee qualifies. Under no circumstances will an employee be permitted to remain in this status for longer than sixty days.
6. Employees will be recommended for termination under the following conditions:
 - a. After placement in accordance with the alternate assignment process, the position will be offered to the employee. If the employee refuses the position or fails to report for work, the Management Services Department will contact the employee and ascertain the reasons for failure to report for work or refusal of the position. All attempts to reasonably accommodate the employee shall be made. If such efforts prove unsuccessful, the employing department will recommend termination.

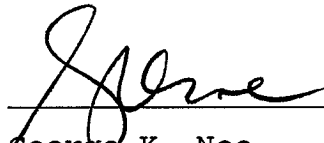
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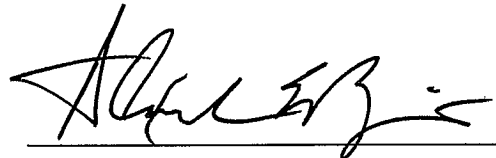
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- b. In the event there is no position available for which the employee qualifies during the sixty-day period, the employing department will recommend termination.



George K. Noe
Director of Management
Services



Alexander E. Briseno
City Manager

REASONABLE ACCOMMODATION REQUEST

This section to be completed by disabled applicant/employee or immediate supervisor of employee.

Name of Applicant/Employee Requesting Accommodation:

Position Title:

Department:

Name of Supervisor:
(for empl. only)

Office Address:

Telephone No.:

Describe disabling condition:

Type of accommodation needed/requested:

Justification:

Medical Documentation Attached:

Yes

☐

No

☐

N/A

☐

Request Initiated By:

Applicant

☐

Employee

☐

Immediate Supv.

☐

Signature of Applicant/Employee:

Date:

Signature of Immediate Supervisor (if applicable):

Date:

This section to be completed by City Physician (if necessary):

Referred through Management Services Department to City Physician:

Yes

☐

No

☐

City Physician agrees with type of accommodation requested:

☐

City Physician disagrees with type of accommodation needed
and recommends following alternate accommodation:

☐

Signature of City Physician:

Date:

This section to be completed by Department Head of Employing
Department:

Recommend approval of accommodation requested by
Applicant/Employee/Employee's Supervisor:

☐

Recommend approval of alternate accommodation:

☐

Justification:

Do Not recommend approval of accommodation because
provision of the proposed accommodation would
create an undue hardship:

☐

Justification:

Applicant/employee was advised of the decision on:

☐

Signature of Department Head of Employing Department:

Date:

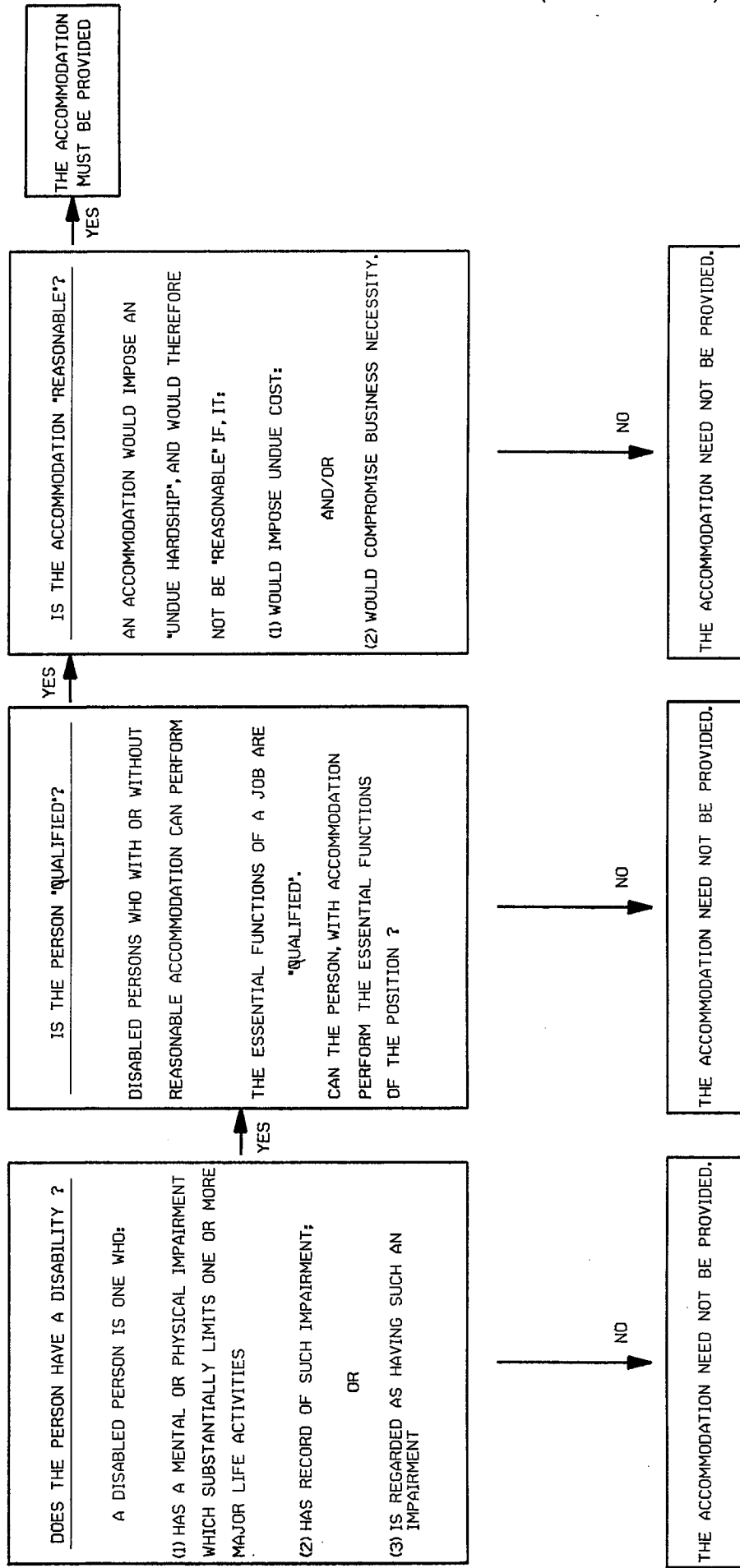


CITY OF SAN ANTONIO



REASONABLE ACCOMMODATION DECISIONS CHART

IF A REQUEST FOR ACCOMMODATION IS MADE, THE FOLLOWING CHART CAN ASSIST THE EMPLOYER IN THE DECISION MAKING PROCESS REGARDING PROVISION OF THE ACCOMMODATION



(Attachment B)

TO:

FROM: , Management Services Department

SUBJECT: Reasonable Accommodations

DATE:

NAME OF EMPLOYEE: _____ SOC. SEC. NO. _____

This is to advise that the above named employee has been determined to be incapable of performing the essential functions of his/her regular position. (Attachment) In order to comply with the Alternate Assignment of Disabled Employees Program outlined in the memo from George K. Noe dated March 3, 1992, we are asking what, if any, reasonable accommodations are reasonable and necessary for the employee to be able to perform the essential functions of the employee's regular position.

If reasonable accommodations can be made, please complete Section A below and return to me within ten days from the date of this memo. Then, return the employee to regular duty with reasonable accommodations.

In the event that no reasonable accommodations can be made, please complete Section B below and return to me within ten days from the date of this memo.

For your information, a "Reasonable Accommodation Decisions Chart" has been attached.

Section A:

_____ Reasonable accommodations can be made. The employee will return to regular position on _____.

Section B:

_____ No reasonable accommodations can be made. We are unable to accommodate this employee in performance of Task No.(s) _____ listed on the attached list of essential functions. Note reason(s) _____

Dept. Head's Signature:

Date:

If you have any questions, please let me know.

Personnel Administrator
Recruitment and Support Division